

APPEAL NO. 042159
FILED OCTOBER 22, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 27, 2004. The hearing officer resolved the disputed issues by deciding that the respondent's (claimant) compensable injury of _____, extends to include bilateral upper extremity complex regional pain syndrome (CRPS)/reflex sympathetic dystrophy (RSD), and that the claimant's correct date of maximum medical improvement (MMI) and impairment rating (IR) cannot be determined until the designated doctor evaluates the claimant's MMI date and IR in light of the existence of bilateral upper extremity CRPS/RSD as part of the claimant's compensable injury of _____. The appellant (carrier) appeals, contending that the hearing officer's decision is not supported by the evidence and is against the great weight and preponderance of the evidence. The claimant responds that the evidence supports the hearing officer's decision.

DECISION

Affirmed.

Conflicting evidence was presented on the issue of the extent of the claimant's compensable injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer's determination on the issue of the extent of the claimant's compensable injury is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986). Given our affirmance of the hearing officer's determination on the issue of the extent of the compensable injury, we likewise affirm his decision on the issues of MMI and IR.

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Robert W. Potts
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Edward Vilano
Appeals Judge